

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Military Service Relief Act amendments.

Sponsored by: Joint Transportation, Highways and Military  
Affairs Interim Committee

A BILL

for

1 AN ACT relating to military service member protections;  
2 providing that state employees' military leave of absence  
3 applies to active duty service; specifying that employees  
4 of community colleges receive employment protections;  
5 amending definitions; extending reinstatement rights and  
6 state retirement credits, as specified; and providing for  
7 an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 19-11-103(a)(ix), 19-11-108(a),  
12 (c)(v), 19-11-112(b) and 19-11-115(c) are amended to read:

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14 **19-11-103. Definitions.**

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1 (a) As used in this article, unless the context  
2 clearly requires otherwise:

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4 (ix) "Service in the uniformed services" means  
5 the performance of duty on a voluntary or involuntary basis  
6 in a uniformed service under competent authority and  
7 includes active duty, active duty for training, initial  
8 active duty for training, inactive duty training, full-time  
9 national guard duty, a period for which a person is absent  
10 from a position of employment for the purpose of an  
11 examination to determine the fitness of the person to  
12 perform any such duty and ~~state active duty~~ active state  
13 service by members of the national guard who are activated  
14 pursuant to a call of the governor as provided for by law;

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16 **19-11-108. Leave of absence for state, city or county**  
17 **officers and employees; training programs.**

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19 (a) Any member of the Wyoming national guard or  
20 United States military forces reserve who is an officer or  
21 employee of this state or any political subdivision,  
22 municipal corporation or any public agency or entity of  
23 the state, including community colleges, shall be given a  
24 military leave of absence with pay at the regular salary or

1 wage which the employee normally receives, not to exceed  
2 fifteen (15) calendar days in any one (1) calendar year to  
3 ~~attend duly authorized encampments, training cruises and~~  
4 ~~similar training programs~~ perform service in the uniformed  
5 services in addition to any other leave or vacation time to  
6 which the person is otherwise entitled.

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8 (c) Upon completion of service as provided by  
9 subsection (b) of this section, the officer or employee  
10 shall be reinstated to the public position held at the time  
11 of entry into service or a position of like seniority,  
12 status and pay, if available, upon the following  
13 conditions:

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15 (v) The military service does not exceed ~~four~~  
16 ~~(4)~~ five (5) years plus any period of additional service  
17 imposed by law.

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19 **19-11-112. Retirement credit.**

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21 (b) No employee shall receive more than a total of  
22 ~~four (4)~~ five (5) years of military service credit in the  
23 retirement system, pension fund or employee benefit plan  
24 applicable to his employment credited under this section.

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2           **19-11-115. State retirement systems; payment of**  
3 **contributions; interest.**

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5           (c) All employee contributions and interest due  
6 thereon made in payment for service in the uniformed  
7 services credit in accordance with subsection (a) of this  
8 section must be received by the system within ~~four (4)~~ five  
9 (5) years of his reemployment.

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11           **Section 2.** This act is effective July 1, 2007.

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(END)